

FACT SHEET
INDUSTRIAL STORM WATER (except construction)
GENERAL NPDES PERMIT; SCR000000
South Carolina Department of Health and Environmental Control
November 12, 2010

Introduction:

This fact sheet describes the basis and procedures for reissuance of a National Pollutant Discharge Elimination System Permit (SCR000000) for discharge of storm water from industrial activities (excluding construction) by the South Carolina Department of Health and Environmental Control. Storm water for construction activity is covered separately under South Carolina permit SCR100000 (note the 1 after SCR). This permit will be referred to throughout this Fact Sheet as the IGP.

An NPDES permit was first issued in South Carolina for industrial storm water in October 1992. The permit was reissued in 1998 and 2004, with the latter permit having an effective date of July 1, 2005, because of an appeal of the permit.

The 2005 permit expired August 31, 2008. However, that permit continues in effect under item 6.1 of the permit and under South Carolina Regulation 61-9, Water Pollution Control Permits, item 122.6, and will do so until this proposed permit becomes effective, with any appropriate changes based on public participation.

Permit Basis:

This permit would be available to facilities throughout South Carolina.

This permit is based on requirements in the Federal Clean Water Act, 33 U.S. Code §§ 1251 et seq., and the South Carolina Pollution Control Act, S.C. Code Sections 48-1-10 et seq., that discharges of pollutants apply for and receive permits for the discharges. Additional requirements are established in South Carolina Regulation 61-9, Water Pollution Control Permits, and especially S.C. R.61-9.122.26 Storm Water Discharges.

The proposed permit is patterned after the U.S. Environmental Protection Agency (EPA) Multi-Sector General NPDES Permit (MSGP) for industrial storm water issued September 29, 2008. See the EPA permit at:

http://www.epa.gov/npdes/pubs/msgp2008_finalpermit.pdf

and the EPA fact sheet for the permit at:

http://www.epa.gov/npdes/pubs/msgp2008_finalfs.pdf

The EPA permit, and similarly, the South Carolina permit, is reformatted and renumbered from previous permits. Numbering of the South Carolina permit is almost identical to that of the EPA MSGP 2008 with a few additions and deletions.

Activities Covered by the Permit:

South Carolina Regulation 61-9.122.26(b)(14) lists categories of industrial facilities that are required to obtain NPDES permit coverage for their storm water discharges:

Sector A : Timber Products	Sector R : Ship and Boat Building and Repairing Yards
Sector B : Paper and Allied Products	Sector S : Air Transportation Facilities
Sector C : Chemical and Allied Products Manufacturing	Sector T : Treatment Works
Sector D : Asphalt Paving and Roofing Materials and Lubricant Manufacturing	Sector U : Food and Kindred Products
Sector E : Glass, Clay, Cement, Concrete, and Gypsum Products	Sector V : Textile Mills, Apparel, and Other Fabric Product Manufacturing; Leather and Leather Products
Sector F : Primary Metals	Sector W : Furniture and Fixtures
Sector G : Metal Mining (Ore Mining and Dressing)	Sector X : Printing and Publishing
Sector K : Hazardous Waste Treatment, Storage, or Disposal Facilities	Sector Y : Rubber, Miscellaneous Plastic Products, and Miscellaneous Manufacturing Industries
Sector L : Landfills, Land Application Sites, and Open Dumps	Sector Z : Leather Tanning and Finishing
Sector M : Automobile Salvage Yards	Sector AA : Fabricated Metal Products
Sector N : Scrap Recycling Facilities	Sector AB : Transportation Equipment, Industrial or Commercial Machinery
Sector O : Steam Electric Generating Facilities	Sector AC : Electronic, Electrical, Photographic, and Optical Goods
Sector P : Land Transportation and Warehousing	Sector AD : Non-Classified Facilities
Sector Q : Water Transportation	

A more specific and detailed listing of facilities required to obtain coverage under the IGP are listed in R. 61-9.122.26(b)(14). This listing includes the SIC codes associated with these facilities.

In addition, the Department may designate a particular facility to obtain an NPDES permit, such as coverage under the permit through S.C. R.61-9.122.26 (a)(1)(v), even though the facility does not meet a definition of a category of activities generally required to be covered by a permit. This corresponds with Sector AD. Such a designation would be made where there is a concern, as defined in the regulation, for the discharge to cause a water quality problem. However, this has been done rarely, and it is expected to continue to be the case.

Maintaining Coverage Under the Reissued Permit

The Department will require the submittal of a new Notice of Intent (NOI) to maintain coverage under the re-issued permit. Since the changes to the proposed permit are fairly extensive, new information is necessary for the Department to properly permit each site. The new NOI also

allows for updating of existing information. The Department hopes to utilize electronic submittal of this information to speed processing time.

Major Changes in the Proposed Permit from the 2005 South Carolina Permit:

Major changes in the proposed IGP from the previous permit, based on the EPA MSGP, are:

1. The proposed permit would allow discharge of storm water which is specifically regulated by effluent limitations guidelines under 40 CFR Part N (40 CFR 400 to 471) for the subparts which are included in Table 1.1 of the proposed permit. This is specifically prohibited under the present permit. Such discharges would have numeric effluent limits in the permit and would have to monitor their discharges periodically and report the results to the Department.
2. Monitoring and benchmark concentrations are set for all facilities covered by the proposed permit. Many facilities were not required by the 2005 South Carolina permit to monitor their storm water discharge. Most benchmarks are the same as those established in the EPA MSGP.
3. The proposed permit would add fecal coliform monitoring and a benchmark (the Freshwater stream standard) for domestic wastewater treatment plants, meat packing (animal killing) plants, wool scouring (textile) plants, and rawhide (leather) plants.
4. The proposed permit would require **annual** reporting for those with effluent limits, rather than EPA's "within 30 days of receiving data."
5. The proposed permit would eliminate toxicity testing which was included in the existing permit for some facilities. Toxicity testing is also not included in the EPA MSGP. Eliminating toxicity testing does not constitute "backsliding" (see S.C. R.61-9.122.44 (I), which prohibits backsliding), as there is no effluent limit stated in the existing permit.
6. Under the new permit, coverage would occur in 17 days after receipt of the NOI by the Department, rather than 9 days after postmark.
7. The name of permit will be the IGP (**I**ndustrial Storm Water **G**eneral NPDES **P**ermit [except construction]), not MSGP.
8. The proposed permit would provide a schedule of compliance for any for new requirements (requirements which were not in the 2005 permit).
 - a. This would include the limits for categories that did not previously have limits.
 - b. There will be no schedule of compliance for coal pile runoff, as this was in the previous permit.
 - c. Also included are category-specific BMP, which were not included in the 2005 South Carolina permit.
 - d. The schedule should provide a year to comply with limits.
 - e. The proposed permit will require installation of BMP "as soon as possible, but not later than one (1) year."

9. The SARA Title III, Section 313 requirements have been removed. This includes the Water Priority Chemicals listed in Appendix C. The SARA Title III, Section 313 requirements are also not included in the EPA MSGP. Eliminating those requirements does not constitute “backsliding” (see S.C. R.61-9.122.44 (1)), as there are no effluent limits stated in the existing permit.
10. The proposed permit would remove the **mineral mining** sector and refer to the NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining, SCG730000.
11. The proposed permit would remove Sector H: Coal Mines and Coal Mining-Related Facilities and Sector I: Oil and Gas Extraction and Refining. After consultation with the Department’s Bureau of Land and Waste Management, it has been determined that it is highly unlikely for activities covered under these sectors to be located in the state.
12. The proposed permit would require that **storm water ponds** installed under a construction-activity storm water permit be kept and maintained for industrial operation.
13. A table stating the **laboratory parameter codes** for parameters required to be monitored by the permit and any additional parameters to be monitored based on stream impairment has been included in the permit draft.
14. A qualitative quarterly visual assessment of a site’s stormwater discharges will be required. Corrective action is expected upon finding anything outside of the typical characteristics.
15. **New storm water discharges** to impaired waters must demonstrate no contribution to the impairment through a variety of means before submitting an NOI.
16. Dischargers to **all impaired waters**, not just those with approved TMDL as in the expired permit, are required to monitor for appropriate parameters. Corrective action is required if the discharge exceeds standards, but no submittal of monitoring data is required.
 - a. However, monitoring is not required for discharges to **waters impaired for "bio"** (in-stream biological, based on macro-invertebrate stream study), until a TMDL related to the site is issued or a procedure is developed to determine in general the monitoring requirements for bio impairment. Also discharges to **waters impaired for “Hg” (mercury) or “PCB” (polychlorinated biphenyls)** are not currently required to monitor. These are fish tissue-based impairments, not water column. To monitor a methodology must be developed to correlate between the two media.
 - b. The new permit will continue the exemption from monitoring for dischargers, which would not contribute the pollutant of concern to the impaired receiving water body.
17. Specific **frequencies for permittee inspections** would be stated in Sector requirements (Part 8); commonly, monthly, but weekly is also occasionally required.

18. **Regional offices** for the counties of South Carolina and phone numbers for the offices are listed in the permit.
19. In BMP for junkyards and vehicle salvage, the new permit would require that vehicles be drained of automotive fluids as soon as possible or to implement some method(s) to prevent leaks and spills.
20. The proposed permit would require that each permittee review the South Carolina list of approved TMDL in each comprehensive site inspection and carry out monitoring and consequent actions.

Differences between Proposed Permit and EPA MSGP 2008:

1. Reporting.
 - a. No reporting of the monitoring required for benchmarks or stream quality is required under the proposed permit
 - b. No annual report of facility inspections or corrective actions is proposed for the permit. Instead, monitoring and, for some Sectors, a benchmark for TSS have been proposed.
2. Addition of fecal coliform monitoring in the form of a benchmark (the Freshwater stream standard) for domestic wastewater treatment plants, meat packing (animal killing) plants, wool scouring (textile) plants, and rawhide (leather) plants.
3. The proposed permit will require **annual** reporting for a particular facility for those parameters with effluent limits, rather than EPA's "within 30 days of receiving data".
4. NOI.
 - a. Coverage will occur in 17 days after receipt of the NOI by the Department, rather than 30 days as U.S. EPA proposes.
 - b. For individual coverages, it is proposed there will be no public notice.
5. The proposed permit will include a specific allowance for pavement deicing (see permit item 5.1.3.5), which is taken from 2005 South Carolina permit (item 3.4.H).
6. The requirement to submit information related to the Endangered Species Act and the Historic Properties Preservation policies are removed and reserved. The Department is of the opinion these are Federal programs and should be administered as such.
7. The proposed permit would provide a schedule of compliance for any for new requirements (requirements which were not in the 2005 permit).
 - a. This would include the limits for categories that did not previously have limits.
 - b. There will be no schedule of compliance for coal pile runoff, as this was in the previous permit.
 - c. Also included are category-specific BMP, which were not included in the 2005 South Carolina permit.

- d. The schedule should provide a year to comply with limits.
 - e. The proposed permit will require installation of BMP “as soon as possible, but not later than one (1) year.”
- 8. The proposed permit would remove the **mineral mining** sector and refer to NPDES General Permit for Discharges Associated with Nonmetal Mineral Mining, SCG730000.
 - 9. The proposed permit would remove Sector H: Coal Mines and Coal Mining-Related Facilities and Sector I: Oil and Gas Extraction and Refining. After consultation with the Department’s Bureau of Land and Waste Management, it has been determined that it is highly unlikely for activities covered under these sectors to be located in the state.
 - 10. MSGP requirements related to New Source performance Standards (item 1.1.2.5) have been revised to eliminate any requirement related to the National Environmental Policy Act (NEPA).
 - 11. There is a fee required by S.C. Regulation 61-30, Environmental Protection Fees, for submittal of the No-exposure Certification (NEC) for each five-year period. The fee is presently \$350 for each five-year period.
 - 12. Definitions were added in Appendix A for Waters of the State, Waters of the United States, Best Available Technology Economically Achievable (BAT), Best Conventional Pollution Control Technology (BCT), Best Practicable Control Technology Currently Available (BPT), Minimize, Uncontaminated, and Natural Background Pollutant Levels. The definition of New Discharger has been modified to compliment the definition of Existing Discharger.
 - 13. For Standard Permit Conditions, Appendix B, the specific language of South Carolina regulation was substituted for the reformatted language of the MSGP, with some revisions related to differences in the EPA and S.C. regulations. References in sections 1 to 7 of the permit were also revised to match the regulation language.

Miscellaneous - Streams with Reduced pH

If the pH of the receiving waterbody is less than 6.0 standard units (6.5 for classifications SFH, SA, and SB), the discharge pH may be less than 6.0 standard units (6.5 for classifications SFH, SA, and SB) only if the discharge pH is not less than the stream pH by a difference of more than 0.2 standard units. This variance will be granted only if the waterbody’s pH is analyzed on the day of the discharge.

Example: If a Freshwater classification waterbody’s pH is 5.5, the discharge pH must be between 5.3 and 8.5. The difference between the waterbody’s pH (5.5) and the discharge pH (5.3) is 0.2 standard units.

Administrative Considerations:

The receiving streams for the various permittees may be characterized by any class stated in South Carolina Regulation 61-68, Water Classifications and Standards, except that no new discharge is allowed to streams classed Outstanding National Resource Waters (ONRW).

The Department has made a preliminary determination that these storm water discharges are necessary to important economical or social development, and they will be allowed if water quality necessary for existing and classified uses will be maintained and protected consistent with Antidegradation Rules. The Department is seeking comment on this preliminary finding. In accordance with the Section D (2), Antidegradation, of the State Water Quality Standards, this notice provides public participation and intergovernmental coordination for this decision.

NOTE: DHEC is not involved in zoning, land use, or property tax/value issues. Please contact your local County or Municipal officials for questions or concerns on these issues.